

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

SUMMARY ORDER

THIS SUMMARY ORDER WILL NOT BE PUBLISHED IN THE FEDERAL REPORTER AND MAY NOT BE CITED AS PRECEDENTIAL AUTHORITY TO THIS OR ANY OTHER COURT, BUT MAY BE CALLED TO THE ATTENTION OF THIS OR ANY OTHER COURT IN A SUBSEQUENT STAGE OF THIS CASE, IN A RELATED CASE, OR IN ANY CASE FOR PURPOSES OF COLLATERAL ESTOPPEL OR RES JUDICATA.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, Foley Square, in the City of New York, on the 9th day of August, two thousand and six.

PRESENT:

HON. WILFRED FEINBERG,  
HON. JON O. NEWMAN,  
HON. CHESTER J. STRAUB,  
*Circuit Judges.*

Yan Bin Lin,

\_\_\_\_\_*Petitioner,*

-v.-

No. 05-1655-ag  
NAC

US Attorney General,

\_\_\_\_\_*Respondent.*

FOR PETITIONER: Gang Zhao, New York, New York.

FOR RESPONDENT: Because the Court did not receive a brief from the respondent within fifteen days of the May 10, 2006, due date specified in the scheduling order issued April 11, 2006, this case has been decided without the benefit of respondent's brief. *See* Local Rule § 0.29(d).

UPON DUE CONSIDERATION, of this petition for review of the Board of Immigration Appeals ("BIA") decision it is hereby ORDERED, ADJUDGED, AND DECREED that the

1 petition for review be DENIED.

2 Yan Bin Lin (A77 354 605), a citizen of China, appeals from the BIA's order affirming  
3 Immigration Judge ("IJ") Helen Sichel's order denying her application for asylum, withholding  
4 of removal and Convention Against Torture ("CAT") relief. We assume the parties' familiarity  
5 with the underlying facts and procedural history of the case.

6 When the BIA summarily affirms the decision of the IJ without issuing an opinion, *see* 8  
7 C.F.R. § 1003.1(e)(4), this Court reviews the IJ's decision as the final agency determination. *See,*  
8 *e.g., Twum v. INS*, 411 F.3d 54, 58 (2d Cir. 2005); *Yu Sheng Zhang v. U.S. Dep't of Justice*, 362  
9 F.3d 155, 158 (2d Cir. 2004). This Court reviews the agency's factual findings, including adverse  
10 credibility determinations, under the substantial evidence standard, treating them as "conclusive  
11 unless any reasonable adjudicator would be compelled to conclude to the contrary." 8 U.S.C. §  
12 1252(b)(4)(B); *see, e.g., Zhou Yun Zhang v. U.S. INS*, 386 F.3d 66, 73 & n.7 (2d Cir. 2004).

13 In order to demonstrate that she has a well-founded fear of future persecution, Lin was  
14 required to establish an objective element of her claim "through presentation of reliable, specific,  
15 objective supporting evidence." *Ramsameachire v. Ashcroft*, 357 F.3d 169, 178 (2d Cir. 2004)  
16 (internal quotation marks omitted). The IJ did not err in determining that Lin failed to meet her  
17 burden of proof because Lin's testimony concerning her local government's policy of mandatory  
18 gynecological examinations was "extremely vague and unpersuasive" and she did not submit any  
19 objective evidence of the policy. The IJ also noted that Lin did not have an adequate explanation  
20 for why she failed to submit copies of the three exam notices sent to her home. *See Jin Shui Qiu*  
21 *v. Ashcroft*, 329 F.3d 140, 153 (2d Cir. 2003) (holding lack of corroborative evidence can be sole  
22 basis for denial of claim where IJ identifies particular pieces of missing, relevant documentation

1 and shows that the documentation was reasonably available to petitioner); *Diallo v. INS*, 232  
2 F.3d 279, 289-90 (2d Cir. 2000) (same).

3 Lin has not challenged the IJ's denial of her claims for withholding of removal or CAT  
4 relief in her brief to this Court. Issues not sufficiently argued in the briefs are considered waived  
5 and normally will not be addressed on appeal. *See Yueqing Zhang v. Gonzales*, 426 F.3d 540,  
6 545 n.7 (2d Cir. 2005).

7 For the foregoing reasons, the petition for review is DENIED. Having completed our  
8 review, Lin's pending motion for a stay of removal in this petition is DENIED as moot. Lin's  
9 pending request for oral argument in this petition is DENIED in accordance with Federal Rule of  
10 Appellate Procedure 34(a)(2), and Second Circuit Local Rule 34(d)(1).

11 FOR THE COURT:  
12 Roseann B. MacKechnie, Clerk  
13 By: \_\_\_\_\_  
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